

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DAVID DEWALD, II,

Plaintiff,

v.

CO JENKINS, ET AL.,

Defendants.

CIVIL ACTION
NO. 16-04597

ORDER

AND NOW, this 13th day of April, 2017, upon consideration of the Complaint, (ECF No. 3), the Defendants' motion to dismiss, (ECF No. 14), and the Plaintiff's reply, (ECF No. 16), it is hereby **ORDERED** that the motion is **GRANTED** in part and **DENIED** in part as detailed in the accompanying Memorandum. The Plaintiff may file an Amended Complaint on or before **May 22, 2017**.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.